

Approved
10/6/04 P.V.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
THOMSON ET AL.)
Serial No. 09/658,509) Examiner: C. KIM
Filing Date: SEPTEMBER 8, 2000) Art Unit: 3682
Attorney Docket No. 57012)
For: BICYCLE STEM FOR ENLARGED)
HANDLEBAR PORTIONS AND)
ASSOCIATED METHODS)

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER COPENDING PATENT APPLICATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Assignee, ✓ L.H. Thomson Company, Inc., having a mailing address of P.O. Box 10158, Wilson Airport, Macon, GA 31297-0158, verifies through its duly authorized representative that it is the owner of all right, ✓ title ✓ and interest in United States Patent Application Serial No. 09/658,509 (hereinafter "the '509 Patent Application") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was submitted for recordation on November 10, 2000 but we have not yet received the reel and frame numbers. A copy of the Assignment as submitted on November 10, 2000 is attached.

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '509 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 of any patent granted on co-pending Patent Application Serial No. 09/658,389 ✓ (389). Assignee hereby

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In re Patent Application of:

THOMSON ET AL.

Serial No. 09/658,509

Filed: **SEPTEMBER 8, 2000**

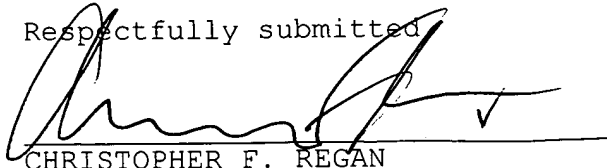
agrees that any patent so granted on the '509 Patent Application shall be enforceable only for and during such period that it and any patent so granted on the '389 Patent Application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the attorney of record.

Authorization is given to charge the Terminal Disclaimer fee of \$55.00 to the credit card listed on the attached credit card payment form PTO-2038. Authorization is given to charge any fee deficiencies to Account No. **01-0484**.

Respectfully submitted



CHRISTOPHER F. REGAN

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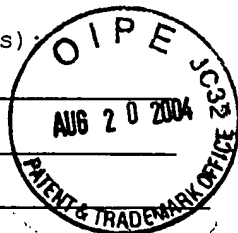
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Loranzo H. THOMSONBrian THOMSONMark P. McJUNKIN

Additional name(s) of conveying party(ies) attached () Yes (X) No

2. Name and address of receiving party(ies):

Name: L.H. Thomson Company, Inc.Address: P.O. Box 10158, Wilson AirportMacon, GA 31297-0158

3. Nature of Conveyance:

(X) Assignment

() Merger

() Security Agreement

() Change of Name

() Other _____

Execution Date: October 18, 2000

Additional name(s) and address(s) attached? () Yes (X) No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent application No.(s)

B. Patent No.(s)

09/658,509

Additional numbers attached? () Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: [1]

Name: Christopher F. Regan, Esq.7. Total fee (37 CFR 3.41).....\$ 40.00Internal Address: Allen, Dyer,

[X] Enclosed

Doppelt, Milbrath & Gilchrist, P.A.

[] Authorized to be charged to deposit account.

Street Address: 255 S.Orange Ave.P.O. Box 3791

8. Deposit Account Number:

City: Orlando01-0484State: Florida Zip: 32802

If any additional extension and/or fee is required,
or, if any additional fee for claims is required.

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Christopher F. Regan
Name of Person Signing

Signature

November 10, 2000
Date

Total number of pages including cover sheet, attachments and document: [4]

A S S I G N M E N T

WHEREAS, Loronzo H. THOMSON of Warner Robins, Georgia; Brian THOMSON of Warner Robins, Georgia and Mark P. MCJUNKIN of Macon, Georgia; hereinafter referred to as **ASSIGNORS**, have made certain improvements or inventions in a **BICYCLE STEM FOR ENLARGED HANDLEBAR PORTIONS AND ASSOCIATED METHODS** for which **ASSIGNORS** have executed an application for United States Patent filed on September 8, 2000 in the United States Patent and Trademark Office and assigned Serial No. 09/658,509; and

WHEREAS, **L.H. THOMSON COMPANY, INC.**, a Georgia corporation, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the same;

NOW THEREFORE, This Indenture Witnesseth: That for good and valuable consideration, receipt whereof is hereby acknowledged, said **ASSIGNORS** do hereby sell, assign and transfer to said **ASSIGNEE**, its successors and assigns, all right, title and interest in and to said United States Design Patent application, the invention or inventions therein shown and described and any improvements on said inventions heretofore or hereafter made, any divisions or continuations of said application, and all patents, United States and foreign, to be granted upon any such application or for the invention or inventions thereof, and any reissues, continuations or extensions of said patents; and said **ASSIGNORS** do hereby authorize and request the Commissioner of Patents to issue all patents on said United States Patent applications or for the invention or inventions hereof, in accordance with this assignment.

And said **ASSIGNORS** for said consideration hereby covenant and agree that said **ASSIGNORS** are the owners of the full title herein conveyed and have the right to convey the same, and


agrees that said **ASSIGNORS** will communicate to said **ASSIGNEE** any facts known to said **ASSIGNORS** respecting said invention or inventions, and testify in any legal proceedings when called upon by said **ASSIGNEE**, sign all lawful papers deemed by said **ASSIGNEE** as expedient to vest in it the legal title herein sought to be conveyed or for the filing and prosecution of all applications and patents, United States and foreign, and otherwise aid said **ASSIGNEE**, its successors and assigns, in obtaining full patent protection on said invention and enforcing proper protection under said patents, but in every instance at the **ASSIGNEE'S** expense.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18 day of OCTOBER, 2000.


Loronzo H. THOMSON

State of Georgia :
: ss.
County of :

On this 18 day of OCTOBER, 2000, before me personally appeared the above-named ASSIGNOR **Loronzo H. Thomson**, to me personally known/provided identification () as the individual who executed the foregoing assignment, and who acknowledged to me that he executed the same of his own free will for the purposes therein set forth.


Notary Public
My commission expires:

S E A L

Notary Public, Houston County, Georgia
My Commission Expires Jan. 9, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this 18 day of OCTOBER, 2000.


Brian THOMSON

State of Georgia :
: ss.
County of :

On this 18 day of OCTOBER, 2000, before me
personally appeared the above-named ASSIGNOR **Brian Thomson**, to me
personally known/provided identification () as the
individual who executed the foregoing assignment, and who
acknowledged to me that he executed the same of his own free will
for the purposes therein set forth.


Notary Public

S E A L

My commission expires:

Notary Public, Houston County, Georgia
My Commission Expires Jan. 9, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this 18 day of OCTOBER, 2000.


Mark P. MCJUNKIN

State of Georgia :
: ss.
County of :

On this 18 day of OCTOBER, 2000,
before me personally appeared the above-named ASSIGNOR **Mark P.
MCJunkin**, to me personally known/provided identification
() as the individual who
executed the foregoing assignment, and who acknowledged to me
that he executed the same of his own free will for the purposes
therein set forth.


Notary Public

S E A L

My commission expires:

Notary Public, Houston County, Georgia
My Commission Expires Jan. 9, 2004.